

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

CHRISTINE NIELSEN, et al.

(b) County of Residence of First Listed Plaintiff Bucks  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Breandan Q. Nemec, Esquire - Begley, Carlin & Mandio, LLP  
680 Middletown Blvd. - Langhorne, PA 19047

## DEFENDANTS

SRI INTERNATIONAL, et al.

County of Residence of First Listed Defendant California  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Valerie Kellner, Esquire  
Rawle & Henderson LLP  
One S. Penn Square, 16<sup>th</sup> Floor  
The Widener Building  
Philadelphia, PA 19107

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                        |   | PTF                        | DEF                                   |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1            | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input checked="" type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>S</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. §1332, 1441, 1446

## VI. CAUSE OF ACTION

Brief description of cause: Notice of Removal

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 5/13/2022 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

15951345-1

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHRISTINE NIELSEN, INDIVIDUALLY :	:	
and as EXECUTRIX OF THE ESTATE OF :	:	
JEFFREY NIELSEN, DECEASED, :	:	
Plaintiffs, :	:	CIVIL ACTION
v. :	:	
:	:	NO. _____
SRI INTERNATIONAL, JOHN DOES :	:	
A-M, JOHN DOES N-Z, JANE DOES A-M :	:	
JANE DOES N-Z, :	:	JURY TRIAL DEMANDED
Defendants. :	:	

**NOTICE OF REMOVAL**

TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT COURT OF NEW JERSEY

**PLEASE TAKE NOTICE THAT**, pursuant to 28 U.S.C. §§1332, 1441(a), 1446,  
Defendant SRI International (hereinafter SRI), by and through their counsel Rawle & Henderson,  
LLP, 309 Fellowship Road, Suite 200, PMB 550, Mt. Laurel, New Jersey 08054, hereby remove  
the above action, pending as Civil Action MER-L-001189-21 in the Superior Court of New  
Jersey, Mercer County, to the United States District Court for the District of New Jersey. In  
support of this Notice of Removal, Defendant SRI avers as follows:

1. Plaintiff, Christine Nielsen, individually and as executrix of the estate of Jeffrey  
Nielsen, deceased is a citizen of the Commonwealth of Pennsylvania, residing at 61 Kraft Lane  
in Levittown, PA 19055. Defendant SRI International (hereinafter SRI) is a California  
corporation with its principal place of business located at 333 Ravenswood Avenue in Menlo  
Park, California, 94025.

2. This civil action was commenced by Plaintiff on June 4, 2021 and is pending in  
Superior Court of New Jersey, Mercer County, a court located within this District, under Docket  
No. MER-L-001189-21. A copy of Plaintiff's Complaint is attached here to as Exhibit A.

3. This case arises out of a work place injury on June 25, 2019 at the SRI facility located at 201 Washington Road in Princeton, New Jersey. Plaintiff alleges Jeff Nielsen was fatally injured as a result of an alleged electrocution at the SRI facility. Plaintiff's Complaint asserts allegations of negligence, punitive damages as well as seeks recovery pursuant to the Wrongful Death and Survivorship statutes. See Exhibit A.

4. Plaintiff's Complaint also alleges allegations against Defendant, PSE&G who was a defendant in this matter. See Exhibit A.

5. Defendant PSE&G was voluntarily dismissed by the parties by Stipulation filed on May 10, 2022. A copy of the Stipulation dismissing Defendant, PSE&G is attached as Exhibit B.

6. SRI filed its Answer to the Plaintiff's Complaint on August 10, 2021. A copy of SRI's Answer to Plaintiff's Complaint is attached hereto as Exhibit C.

#### **GROUND FOR REMOVAL**

7. This Court has jurisdiction of this action under 28 U.S.C. § 1332.

8. Removal is now proper in the instant case because there is diversity of citizenship as to all properly joined parties and the amount of controversy excess of \$75,000.

9. Plaintiff Christine Nielsen was and still is, a citizen of the Commonwealth of Pennsylvania, based on the citizenship of Defendant Jeff Nielsen, who was a citizen of the Commonwealth of Pennsylvania prior to his death. See Exhibit A and A copy of the West Windsor Police report attached as Exhibit D.

10. A corporation is "deemed to be a citizen of every state and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business." *Id.* §1332(c)(1).

11. SRI is a California corporation with its principal place of business in the State of California.

12. SRI was, and still is, a citizen of California within the meaning of 28 U.S.C. § 1332.

13. PSE&G, a New Jersey Corporation, with its principal place of business in New Jersey, and therefore a citizen of New Jersey within the meaning of 28 U.S.C. § 1332 was voluntarily dismissed from this action on May 10, 2022. This dismissed Defendant provides the basis for diversity of jurisdiction between plaintiff and the remaining defendant pursuant to 28 U.S.C. § 1446 (c). (See Exhibit B).

14. SRI is filing this Notice of Removal within 30 days of the dismissal of PSE&G. (See Exhibit B).

15. This case was timely removed within one year of commencement to the appropriate Federal District Court pursuant to 28 U.S.C. § 1446 (c).

16. Plaintiff seeks actual damages, punitive damages and statutory damages. (See Exhibit A). Removal is proper under 28 U.S.C. § 1446 as the amount in controversy exceeds \$75,000, exclusive of interest and costs. 28 U.S.C. § 1332 and 28 U.S.C. § 1446.

17. Venue is proper in this Court because the Superior Court of New Jersey, Mercer County, where this case was originally filed, is in this District. See 28 U.S.C. § 1446(a).

18. Pursuant to 28 U.S.C. § 1446(d), SRI is serving a copy of this Notice of Removal to all counsel of record. Notice of the filing of this Notice of Removal will be filed with the Court of the Superior Court of New Jersey, Mercer County.

19. Pursuant to 28 U.S.C. § 1446(a), “a copy of all process, pleadings and orders served upon “SRI prior to the filing of this Notice of Removal are attached as Exhibits A-C.

20. By removing this action from the Superior Court of New Jersey, Mercer County, Defendant SRI confirms this Notice of Removal complies with the relevant removal statutes.

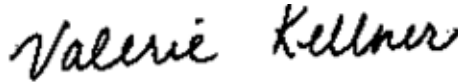
**NON-WAIVER OF DEFENSES**

21. By removing this action from the Superior Court of New Jersey, Mercer County, Defendant SRI does not waive any defenses available to them.

22. By removing this action from the Superior Court of New Jersey, Mercer County, Defendant SRI do not admit any of the allegations in Plaintiff's Complaint.

WHEREFORE, Defendant SRI, effect the removal of this action from the Superior Court of New Jersey, Mercer County to The United States District of New Jersey for the District Court of New Jersey.

RAWLE & HENDRSON LLP



By: \_\_\_\_\_  
Valerie Kellner, Esquire  
Attorney for Defendant  
SRI International  
ID No.: 0061301998  
309 Fellowship Road, Suite 200,  
PMB 550  
Mt. Laurel, NJ 08054

DATED: 05-13-2022

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHRISTINE NIELSEN, INDIVIDUALLY :	:	
and as EXECUTRIX OF THE ESTATE OF :	:	
JEFFREY NIELSEN, DECEASED,	:	
Plaintiffs,	:	CIVIL ACTION
v.	:	
	:	NO. _____
SRI INTERNATIONAL, JOHN DOES :	:	
A-M, JOHN DOES N-Z, JANE DOES A-M :	:	
JANE DOES N-Z,	:	JURY TRIAL DEMANDED
Defendants.	:	

**VERIFICATION PURSUANT TO D.N.J. CIV.P.R. 11.2**

I, Valerie Kellner, Esquire, certify under penalty of perjury that the following is true and correct:

1. That I am familiar with the facts of this case and I make this Certification in support of SRI's Notice of Removal.
  
2. I am authorized as their dedicated counsel.

RAWLE & HENDRSON LLP

*Valerie Kellner*

By: \_\_\_\_\_

Valerie Kellner, Esquire  
Attorney for Defendant  
SRI International  
ID No.: 0061301998  
309 Fellowship Road, Suite 200,  
PMB 550  
Mt. Laurel, NJ 08054

DATED: 05-13-2022

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHRISTINE NIELSEN, INDIVIDUALLY :	:	
and as EXECUTRIX OF THE ESTATE OF :	:	
JEFFREY NIELSEN, DECEASED,	:	
Plaintiffs,	:	CIVIL ACTION
v.	:	
	:	NO. _____
SRI INTERNATIONAL, JOHN DOES :	:	
A-M, JOHN DOES N-Z, JANE DOES A-M :	:	
JANE DOES N-Z,	:	JURY TRIAL DEMANDED
Defendants.	:	

**CERTIFICATION PURSUANT TO 28 U.S.C. § 1746**

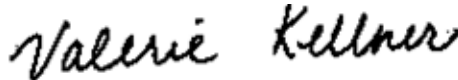
I, Valerie Kellner, Esquire, certify under penalty of perjury that the following is true and correct:

1. That this matter in controversy in this action is not the subject of another action pending in any other court or any other arbitration proceeding other than those identified then those of Defendant in their Notice of Removal.

2. An arbitration has been scheduled in the Superior Court of Mercer County on September 20, 2022

3. There are no parties, at the present time that need to be joined to this action.

RAWLE & HENDRSON LLP



By: \_\_\_\_\_

Valerie Kellner, Esquire  
Attorney for Defendant  
SRI International  
ID No.: 0061301998  
309 Fellowship Road, Suite 200,  
PMB 550  
Mt. Laurel, NJ 08054

DATED: 05-13-2022



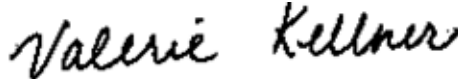
**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHRISTINE NIELSEN, INDIVIDUALLY :	:	
and as EXECUTRIX OF THE ESTATE OF :	:	
JEFFREY NIELSEN, DECEASED,	:	
Plaintiffs,	:	CIVIL ACTION
v.	:	
	:	NO. _____
SRI INTERNATIONAL, JOHN DOES :	:	
A-M, JOHN DOES N-Z, JANE DOES A-M :	:	
JANE DOES N-Z,	:	JURY TRIAL DEMANDED
Defendants.	:	

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the within-captioned document (Notice to File Notice of Removal, Notice of Removal, Exhibits and Civil Cover sheet) were filed electronically with the Clerk of the District Court using its CM/ECF system, which would then electronically notify all participants in this case.

RAWLE & HENDRSON LLP



By: \_\_\_\_\_

Valerie Kellner, Esquire  
Attorney for Defendant  
SRI International  
ID No.: 0061301998  
309 Fellowship Road, Suite 200,  
PMB 550  
Mt. Laurel, NJ 08054

DATED: 05-13-2022

# **EXHIBIT “A”**



**Service of Process  
Transmittal**

06/10/2021

CT Log Number 539713804

**TO:** John McIntire  
Sri International  
333 RAVENSWOOD AVE  
MENLO PARK, CA 94025-3453

**RE: Process Served in New Jersey**

**FOR:** SRI International (Domestic State: CA)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Christine Nielsen, Individually and as Executrix of the Estate of Jeffrey Nielsen, Deceased, Pltf. vs. SRI International, et al., Dfts.

**DOCUMENT(S) SERVED:** -

**COURT/AGENCY:** None Specified  
Case # MERL00118921

**NATURE OF ACTION:** Employee Litigation - Personal Injury

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, West Trenton, NJ

**DATE AND HOUR OF SERVICE:** By Process Server on 06/10/2021 at 14:39

**JURISDICTION SERVED :** New Jersey

**APPEARANCE OR ANSWER DUE:** None Specified

**ATTORNEY(S) / SENDER(S):** None Specified

**ACTION ITEMS:** CT has retained the current log, Retain Date: 06/12/2021, Expected Purge Date: 06/17/2021

Image SOP

Email Notification, John McIntire john.mcintire@sri.com

Email Notification, Jocelyn To jocelyn.to@sri.com

Email Notification, David Stringer-Calvert david.stringer-calvert@sri.com

**REGISTERED AGENT ADDRESS:** C T Corporation System  
820 Bear Tavern Road  
West Trenton, NJ 08628  
866-539-8692  
CorporationTeam@wolterskluwer.com

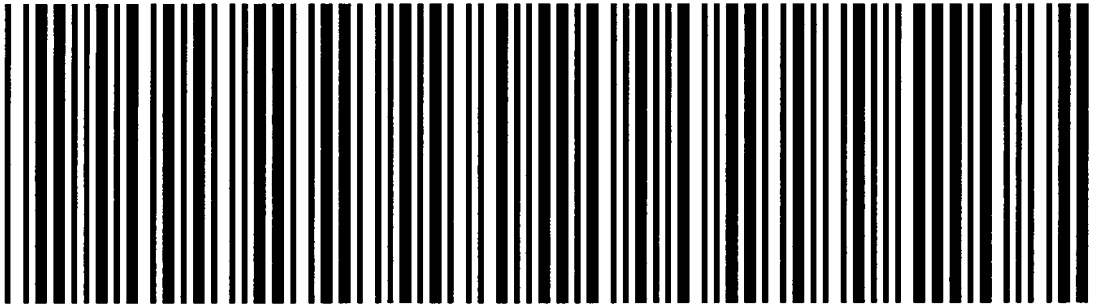
The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

## PROCESS SERVER DELIVERY DETAILS

**Date:** Thu, Jun 10, 2021

**Server Name:** Drop Service

Entity Served	SRI INTERNATIONAL
Case Number	MERL100118921
Jurisdiction	NJ



LAW FIRM: Begley, Carlin & Mandio, LLP  
ADDRESS: 680 Middletown Boulevard, Langhorne, PA 19047  
PHONE 215-760-0110 Breandan G. Nemec, Esquire  
ATTORNEY NAME AND ID # 033282007  
ATTORNEY FOR Plaintiff

Christine Nielsen, Individually and as Executrix of the  
Estate of Jeffrey Nielsen, Deceased  
Plaintiff

-v-

SRI International, et al.

Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
Law                      DIVISION  
Mercer COUNTY  
DOCKET NO.: MER-L-001189-21

CIVIL ACTION

SUMMONS

FROM THE STATE OF NEW JERSEY TO: (PERSON TO BE SERVED) SRI International

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey, and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages, or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).

/s/ Michelle M. Smith  
Michelle M. Smith,  
Clerk of the Superior Court

DATED:

Name of the Defendant(s) to be served: SRI International  
Address of the Defendant(s) to be served: c/o The Corporation Trust Company  
820 Bear Tavern Road  
West Trenton, NJ 08628

**BEGLEY, CARLIN & MANDIO, LLP**  
Breandan Q. Nemec, Esquire  
Identification No. 033282007  
680 Middletown Blvd.  
Langhorne, PA 19047  
215-750-0110

*Attorneys for Plaintiff*

<b>CHRISTINE NIELSEN, INDIVIDUALLY and</b>	:	<b>SUPERIOR COURT OF NEW JERSEY</b>
<b>as EXECUTRIX OF THE ESTATE OF</b>	:	<b>MERCER COUNTY LAW DIVISION</b>
<b>JEFFREY NIELSEN, DECEASED</b>	:	
61 Kraft Lane	:	
Levittown, PA 19055	:	
	:	<b>DOCKET NO.</b>
<b>vs.</b>	:	
	:	<b>CIVIL ACTION</b>
<b>SRI INTERNATIONAL</b>	:	
201 Washington Road	:	
Princeton, NJ 08540	:	
	:	
<b>PUBLIC SERVICE ELECTRIC AND</b>	:	
<b>GAS COMPANY</b>	:	
80 Park Plaza	:	
Newark, New Jersey 07102	:	
	:	
<b>JOHN DOES A-M</b>	:	
	:	
<b>JOHN DOES N-Z</b>	:	
	:	
<b>JANE DOES A-M</b>	:	
	:	
<b>JANE DOES N-Z</b>	:	

Plaintiff, Christine Nielsen, Individually, and as the Administratrix of the Estate of Jeffrey C. Nielsen, residing at 61 Kraft Lane, Levittown, Pennsylvania, complaining of the Defendants says:

**PARTIES**

1. Plaintiff, Christine Nielsen, is the surviving spouse of Decedent, Jeffrey C. Nielsen (hereinafter "Decedent"), and as such, was appointed as the Executor of the Decedent's Estate on

October 22nd, 2020, the Decedent having died testate on June 25, 2019. See the *Letters of Administration* attached hereto as Exhibit "A". The decedent's Last Will and Testament is annexed hereto as Exhibit "B".

2. Defendant, SRI International (hereinafter "SRI"), is a California Foreign Non-Profit Corporation conducting business in the State of New Jersey and registered by the Department of the Treasury as having the following registered agent and office:

The Corporation Trust Company  
820 Bear Tavern Road  
West Trenton, NJ 08628

3. Defendant SRI maintains a physical campus, and conducts business at, 201 Washington Road, Princeton, Mercer County, New Jersey. The campus consists of over 250 acres and includes 650,000 square feet of buildings.

4. Defendant, Public Service Electric and Gas Company (hereinafter "PSE&G") is a New Jersey Domestic For-Profit Corporation which was registered to do business by the Department of the Treasury on or about July 25, 1924. Defendant PSE&G's principal place of business is located at 80 Park Plaza, Newark, New Jersey 07102, and maintains a registered agent and office at Corporate Creations Network, Inc., 12 Christopher Way #200, Eatontown, New Jersey 07724.

5. Defendants, John Doe A-M, are unidentified adult individuals and/or entities whom were employed by Defendant SRI as of June 25, 2019, said employees at all times acting within the course and scope of their employment, and in furtherance of the business interests of the aforementioned Defendants.

6. Defendants, John Doe N-Z, are unidentified adult individuals and/or entities whom were employed by Defendant PSE&G as of June 25, 2019, said employees at all times acting

within the course and scope of their employment, and in furtherance of the business interests of the aforementioned Defendants.

7. Defendants Jane Doe A-M are entities, businesses, corporations, partnerships, enterprises and/or companies that manufactured, produced, owned, maintained, controlled and/or possessed the electrical equipment which forms the basis of this Complaint and was the cause of decedent's death, said Defendants having a contractual or other relationship with Defendants SRI and/or PSE&G.

8. Defendants Jane Doe N-Z are entities, businesses, corporations, partnerships, enterprises and/or companies that, working by and through employees, workmen, contractors, vendors and/or agents, performed maintenance or other work on the subject electrical equipment at the behest of, or at the request of, Defendants SRI and/or PSE&G.

9. Defendants, Jane Does A-M and Jane Does N-Z are businesses, companies, entities, franchises, partnerships, proprietorships, corporations and/or trade names, created and existing under the laws of the State of New Jersey or other states, with unknown principal places of business, but otherwise conducting business in the State of New Jersey at all relevant times.

10. At all times relevant hereto, Defendant SRI was a corporation operating as an "independent non-profit research institute with a rich history of supporting government and industry." See SRI International's website at [www.sri.com](http://www.sri.com).

11. At all times relevant hereto, Defendant SRI did own and/or operate, manage, maintain, and/or control the property and physical plant located at 201 Washington Road in Princeton, New Jersey.

12. At all times relevant hereto, Defendants SRI, PSE&G, Jane Does A-M and/or Jane Doe N-Z, did own and/or operate, manage, maintain, and/or control various equipment and



components providing high voltage electricity to the physical plant located at 201 Washington Road in Princeton, New Jersey.

### **BACKGROUND FACTS**

13. Plaintiff's decedent was hired by Defendant SRI's predecessor company, RCA Corporation in the summer of 1979 as a security guard.

14. Plaintiff's decedent continued to be employed by RCA and its successor company, Sarnoff Corporation through 2011 when the company was acquired by, or renamed, SRI International.

15. Between 1980 and 2011, Plaintiff's decedent was employed by the identified employers as an electrician.

16. Defendant SRI continued to employ Plaintiff's decedent as an electrician and promoted Mr. Nielsen to the role of electrical foreman.

17. Plaintiff's decedent was never licensed or certified as an electrician.

18. Despite this, Defendant SRI employed Plaintiff's decedent as the lead electrician and tasked Mr. Nielsen with the responsibility of overseeing all matters related to electricity at its physical plant. Plaintiff's decedent was directed to handle electrical projects that varied from mundane to ultrahazardous.

19. Upon information and belief, Defendants regularly directed decedent to perform electrical work which is traditionally completed by highly skilled licensed electricians.

20. Upon information and belief, Defendant SRI had a pattern and practice of directing their internally employed workers to handle complicated and/or ultrahazardous projects, including electrical work, instead of hiring qualified outside contractors to perform said work.

21. Upon information and belief, Defendant SRI had a pattern and practice of refusing to kill electricity to the physical plant, or parts thereof, so that plant operations would not be interfered with.

22. Upon information and belief, Defendant SRI historically employed five full time electricians or more. On the date of loss, SRI only employed Plaintiff's decedent and Frank Bodnar as electricians.

23. As of the date of loss, Plaintiff's Decedent and Frank Bodnar were solely responsible for any and all electrical work at the physical plant.

#### **INCIDENT**

24. On June 25, 2019, Decedent reported for work as normal at SRI's physical plant as described *supra*.

25. Defendant SRI, by and through employee John Rude, and/or other Defendants, directed Decedent and co-worker Bodnar to perform electrical work in, or near, the North Wing's outside substation.

26. The subject work required Plaintiff's Decedent and co-worker Bodnar to work on, with, or near live, dangerous electrical equipment.

27. Neither Plaintiff's decedent nor co-worker Bodnar were provided with any personal protective equipment for work, in general, or for the specific work they were directed to perform that day.

28. Defendant SRI, by and through employee John Rude, and other Defendants, despite knowing that the required work was inherently dangerous and ultrahazardous, refused to hire an outside contractor to perform the subject electrical work, instead directing Plaintiff's decedent and co-worker Bodnar to perform same.

29. By 2019, it was standard practice for Defendant SRI to reallocate professional resources, by and through employees, from one department to another despite the fact that employees were not trained or otherwise proficient to perform certain jobs. To wit, it had become standard practice for the plant's plumber to be asked to help with electrical work, and for the employees who were hired as electrical workers to perform HVAC services, all in an attempt to cut costs and to avoid hiring outside contractors/vendors.

30. At approximately 1:00 PM, Plaintiff's decedent and Bodnar were outside working in a busbar enclosure in the vicinity identified, *supra*, while trying to locate and/or identify an unused conduit.

31. The busbar was charged to a minimum of 480 volts. As little as 42 volts is enough to be fatal.

32. Co-worker Bodnar was working away from Plaintiff's decedent, and when unable to communicate with Decedent, walked around to where Plaintiff's decedent was working.

33. Co-worker Bodnar observed Plaintiff's decedent slumped against the live busbar.

34. Co-worker Bodnar kicked at Plaintiff's decedent worried that he was electrified.

35. Plaintiff's decedent then slid off of the busbar to the ground and was no longer engaged with electrified components.

36. Upon information and belief, Plaintiff's decedent was alive at this time.

37. Co-worker Bodnar was then able to get the attention of other SRI employees inside of the building, including Associate Director Saj Ishaq, who eventually called 9-1-1 per the police report.

38. Within minutes of the foregoing, SRI employee Jennifer Willette, who was with Sajid Ishaq, ran to Plaintiff Christine Nielsen frantically directing her to call "5-3-1-1", which is

**not** Defendant SRI's internal number for emergency situations, because "something was wrong with Frank Bodnar". The correct internal emergency number is "1-2-3".

39. Plaintiff called extension 2318 to report the emergency situation allegedly affecting Frank Bodnar to the guards.

40. Immediately thereafter, SRI employee Cleo Krolikowski informed Plaintiff that it was in fact her husband, Jeffrey Nielsen, that had been injured.

41. It is during this time that Mr. Ishaq calls 911 and other SRI employees go outside and attempt to render aid to Plaintiff's decedent.

42. SRI employee George Craft then walked Christine Nielsen through the building to a point where she witnessed the attempts to resuscitate her husband and save his life.

43. In addition to the life saving measures being attempted, Plaintiff Christine Nielsen observed trucks belonging to Defendant PSE&G on scene within minutes and the company's employees and/or agents milling about the scene.

44. Following the incident, at an unknown time, co-worker Bodnar was able to open an electric box adjacent to the accident scene and kill power to the busbar enclosure.

45. SRI employee James Devine performed CPR on Plaintiff's decedent until relieved by West Windsor Emergency Services.

46. Plaintiff's decedent was transported to the emergency room at Princeton Medical Center where he was later pronounced dead.

47. Plaintiff Christine Nielsen was transported to the hospital by co-worker James Rust.

48. An autopsy was performed by Assistant Medical Examiner, Melissa Guzzetta, D.O.

49. Decedent was pronounced dead at the Princeton Medical Center. A copy of the death certificate is attached hereto as Exhibit "D".

50. A four page autopsy report identifies electrocution as the cause of death, and identifies a right thermal injury to decedent's right temporal scalp and right upper back near the axillary fold.

### **INVESTIGATION**

51. Following the incident, the Occupational Safety and Health Administration (hereinafter "OSHA") conducted an investigation.

52. The OSHA inspection number relative to this fatal incident is 1410840.015.

53. The OSHA Accident Investigation Summary reads: "At 2:00 p.m. on June 25, 2019, and employee [Plaintiff's decedent] removed the back panel of an electrical substation to follow an empty electrical conduit. The employee was electrocuted when he reached inside the panel and touched the electrical power bar."

54. The OSHA investigation resulted in the issuance of a citation on December 19<sup>th</sup>, 2019. The violation(s) were deemed to be serious.

55. OSHA violations are identified as serious if there is a substantial probability that death or serious physical harm could result and that the employer knew, or should have known, of the hazard.

56. Employer-Defendant SRI was fined \$13,260.00 as a result of the violation.

57. The citation was issued for a violation of 1926.416(a)(1), which reads:

"No employer shall permit an employee to work in such proximity to any part of an electric power circuit that the employee could contact the electric power in the course of work,

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unless the employee is protected against electric shock by deenergizing the circuit grounding it or by guarding it effectively by insulation or other means.”

58. There is no evidence that Defendants made any attempts to protect the employee, Plaintiff’s decedent, against electric shock by deenergizing the circuit by grounding it.

59. There is no evidence that Defendants made any attempts to protect the employee, Plaintiff’s decedent, against electric shock by guarding it effectively by insulation or other means.

60. There is no evidence that Defendants offered Plaintiff’s decedent the proper, necessary and requisite personal protective equipment for the subject electrical work.

61. The police report does not identify any personal protective equipment either being worn by Decedent Nielsen at the time of the incident or found at the scene.

62. The West Windsor Township Police Department report lists the following as persons involved in the incident:

- William Allen, Jr. – Defendant PSE&G’s Ops. Supervisor
- Michael Davis – Defendant SRI’s International Facility Director
- Saj Ishaq – Defendant SRI’s International Group Director
- James F. Devine – Defendant SRI’s International Facilities Engineer
- David Gresko – Defendant SRI’s International Employee
- Eric Mantle – Defendant SRI’s International Employee

**FIRST COUNT – NEGLIGENCE**  
**PLAINTIFF v. ALL DEFENDANTS**

63. Plaintiff incorporates paragraphs one (1) through sixty-two (62) by reference as if same were set forth at length herein.

**64. The Defendants are individually and/or jointly liable to the Plaintiff for the following reasons:**

**(a) failing to properly train Plaintiff's decedent and other employees hired to perform the electrical services at the physical plant;**

**(b) failing to properly insure that contractors, vendors and/or other entities that had access to, or control of, electrical components on the physical plant only hired and retained properly qualified and licensed employees to perform electrical services at the subject plant;**

**(c) failing to require Plaintiff's decedent to become a licensed and/or certified electrician before requiring Plaintiff to engage in electrical work which is inherently dangerous and/or ultrahazardous;**

**(d) failing to hire, keep and or/retain properly licensed and/or certified employees in the electrical field to perform any and all electrical tasks at the physical plant;**

**(e) failing to provide Plaintiff's decedent with the proper safety equipment to perform any and all electrical jobs at the plant;**

**(f) failing to adopt, promulgate, and/or require industry standard/required electrical safety practices including, but not limited to, de-energization of live components and lockout-tagout procedures;**

**(g) failing to hire, keep and retain a sufficient number of employees in the electrical department, and/or otherwise ensure, that all electrical work could be performed in a safe manner and in a manner consistent with, and in accordance to, industry standards including those required by the Occupational Safety and Health Administration, the National Fire Protection Association's Standards, the National Electric Code, the National Electrical Manufacturing Association's Standards and/or other applicable industry standards.**

65. Plaintiff's decedent's death was proximately caused by the Defendants' negligent acts and/or failures to act.

66. Defendants also individually and/or collectively increased the risk of harm to Plaintiff's decedent through their acts or failures to act.

67. The decedent's injuries and death were a foreseeable consequence of the Defendants' negligent acts and failures to act.

WHEREFORE, Plaintiff, Christine Nielsen, individually, and as the Executor of the Decedent's Estate, demands judgment against the Defendants for compensatory and pecuniary damages, together with interest and costs of suit, punitive damages and any other relief available to Plaintiffs under the law.

#### **SECOND COUNT - WRONGFUL DEATH ACTION**

68. Plaintiff incorporates paragraphs one (1) through sixty-seven (67) by reference as if same were set forth at length herein.

69. The Defendants are liable to the Plaintiff for any and all damages permissible pursuant to N.J.S.A. 2A:31-1, *et sequitur*. Plaintiff Christine Nielsen, Executrix of the Estate of Jeffrey C. Nielsen, has standing to bring this claim pursuant to N.J.S.A. 2A:31-2.

WHEREFORE, Plaintiff, Christine Nielsen, individually, and as the Executrix of the Decedent's Estate, demands judgment against the Defendants for compensatory and pecuniary damages, together with interest and costs of suit, punitive damages and any other relief available to Plaintiffs under the law.

#### **THIRD COUNT - SURVIVAL ACTION**

70. Plaintiff incorporates paragraphs one (1) through sixty-nine (69) by reference as if same were set forth at length herein.



71. The Defendants are liable to the Plaintiff for any and all damages permissible pursuant to N.J.S.A. 2A:15-3, *et sequitur*. Plaintiff Christine Nielsen, Executrix of the Estate of Jeffrey C. Nielsen, has standing to bring this claim pursuant to N.J.S.A. 2A:15-3.

WHEREFORE, Plaintiff, Christine Nielsen, individually, and as the Executrix of the Decedent's Estate, demands judgment against the Defendants for compensatory and pecuniary damages, together with interest and costs of suit, punitive damages and any other relief available to Plaintiffs under the law.

#### **FOURTH COUNT - PUNITIVE DAMAGES**

72. Plaintiff incorporates paragraphs one (1) through seventy-one (71) by reference as if same were set forth at length herein.

73. The Defendants acts and/or omissions were actuated by malice and/or accompanied by a wanton and willful disregard of Decedent.

74. It was reasonably foreseeable that Decedent would be harmed by the Defendants' acts or omissions.

75. Therefore, Defendants are liable to the Plaintiff for any and all damages permissible pursuant to N.J.S.A. 2A:15-5.9.

WHEREFORE, Plaintiff, Christine Nielsen, individually, and as the Executrix of the Decedent's Estate, demands judgment against the Defendants for compensatory and pecuniary damages, together with interest and costs of suit, punitive damages and any other relief available to Plaintiffs under the law.

#### **FIFTH COUNT - PER QUOD**

76. Plaintiff incorporates paragraphs one (1) through seventy-five (75) by reference as if same were set forth at length herein.

77. Plaintiff, Christine Nielsen, as a result of the Defendants' acts or omissions, has suffered, and will continue to suffer, from the loss of the decedent's services and consortium.

78. Plaintiff, Christine Nielsen, is therefore entitled to bring a *per quod* claim against the Defendants.

WHEREFORE, Plaintiff, Christine Nielsen, individually, and as the Executrix of the Decedent's Estate, demands judgment against the Defendants for compensatory and pecuniary damages, together with interest and costs of suit, punitive damages and any other relief available to Plaintiffs under the law.

**SIXTH COUNT – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

79. Plaintiff incorporates paragraphs one (1) through seventy-eight (78) by reference as if same were set forth at length herein.

80. Plaintiff, Christine Nielsen, is entitled to any and all damages available to a claimant including a claim for negligent infliction of emotional distress.

81. Defendants' acts or failures to act negligently caused Plaintiff's decedent's death as averred *passim*.

82. At the time of the negligent acts, omissions, and decedent's injury, Christine Nielsen and decedent, Jeffrey Nielsen, were married.

83. Plaintiff Christine Nielsen was present at the scene of the accident and directly observed her husband while life-saving measures were taken first by co-workers and then by emergency medical personnel.

84. Plaintiff Christine Nielsen's personal observations at the physical plant and at the hospital, in addition to ultimately losing her husband, have resulted in severe emotional distress.

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WHEREFORE, Plaintiff, Christine Nielsen, individually, and as the Executrix of the Decedent's Estate, demands judgment against the Defendants for compensatory and pecuniary damages, together with interest and costs of suit, punitive damages and any other relief available to Plaintiffs under the law.

**BEGLEY, CARLIN & MANDIO, LLP**

By:

  
Breandan Q. Nemec, Esquire  
*Attorneys for Plaintiff, Christine Nielsen*


Dated: 6/4/21

**JURY DEMAND**

Plaintiffs hereby demand trial by jury of all issues so triable.

**BEGLEY, CARLIN & MANDIO, LLP**

By:

  
Breandan Q. Nemec, Esquire  
*Attorneys for Plaintiff, Christine Nielsen*

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, Plaintiffs designate Breandan Q. Nemec as trial counsel in this matter.

**BEGLEY, CARLIN & MANDIO, LLP**

By:

  
Breandan Q. Nemec, Esquire  
*Attorneys for Plaintiff, Christine Nielsen*

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**CERTIFICATION PURSUANT TO R. 4:5-1**

Plaintiffs, by their attorneys, hereby certify that the matter in controversy is not the subject of any other pending or contemplated judicial or arbitration proceeding. Plaintiff is not currently aware of any other party that should be joined in this action.

**BEGLEY, CARLIN & MANDIO, LLP**

By: 

Breandan Q. Nemec, Esquire  
*Attorneys for Plaintiff, Christine Nielsen*

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**EXHIBIT “A”**

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**LINDA BOBRIN, ESQUIRE  
REGISTER OF WILLS OF BUCKS COUNTY, PENNSYLVANIA  
CERTIFICATE OF GRANT OF LETTERS**

**Estate of: Jeffrey Carl Nielsen (aka Jeffrey C. Nielsen )**

**Late of: Falls Township**

**File No.: 2020-02587**

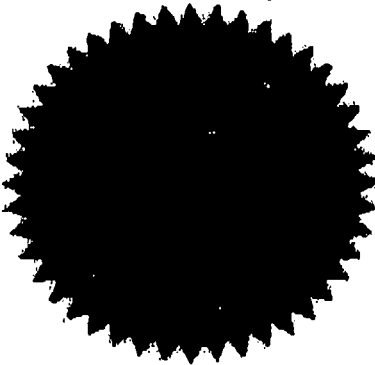
**Date of Death: June 25, 2019**

**Social Security No.:** [REDACTED]

**WHEREAS, the Grant of LETTERS TESTAMENTARY is required for the administration of the estate;**

**NOW, THEREFORE, I, LINDA BOBRIN, ESQUIRE, Register of Wills in and for the County of Bucks in the Commonwealth of Pennsylvania, hereby certify that I have this day granted LETTERS TESTAMENTARY to Christine R. Nielsen who has duly qualified as Executrix of the estate of the above-named decedent and has agreed to administer the estate according to law, all of which fully appears of record in my office at Bucks County Courthouse, Doylestown, Pennsylvania.**

**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office on this 22nd day of October, 2020.**



*Linda Bobrin*

**Linda Bobrin, Esquire  
Register of Wills**


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**EXHIBIT “B”**

**LAST WILL AND TESTAMENT**

I, JEFFREY C. NIELSEN, of the Township of Bristol, County of Bucks and Commonwealth of Pennsylvania, declare this to be my Last Will and Testament, hereby revoking and making void all Wills or writings in the nature thereof by me at any time heretofore made.

**FIRST:** I direct that my just debts and funeral expenses be paid from my Estate as an expense of administration as soon as convenient after my death.



**SECOND:** I give and bequeath to my wife, if she survives me, all tangible personal property, if any, which I own at the time of my death, including, but not limited to, household goods, furniture, furnishings, personal effects, and personal motor vehicles, together with all policies of insurance thereon. If my wife fails to survive me, I give and bequeath my tangible personal property to my daughter, if she survives me. If my daughter does not survive me, my tangible personal property shall be sold and the proceeds shall be added to the residue of my Estate. In the event any beneficiary of this paragraph cannot agree on the distribution of any item or items, the item or items in dispute shall be distributed or sold in the absolute discretion of my Executor, and the proceeds of any sale shall be added to the residue of my Estate. For the purpose of this paragraph, no individual shall be deemed to survive me unless that individual survives me by thirty (30) days. I request that any memorandum of instructions of mine with respect to the disposition of specific items, although not legally binding, be respected.

**THIRD:** I give, appoint, devise and bequeath all the rest, residue and remainder of my Estate, real, personal and mixed, including any property over which I may then have a power of appointment, to my wife, CHRISTINE R. NIELSEN, providing she shall survive me by thirty (30) days.



**SIXTH:** In addition to the powers granted by law, my fiduciaries shall have the following powers, exercisable without leave of court, and shall continue until final distribution is made:

respective share.

to that child, any accumulated income and the remaining principal of that child's share. As the beneficiary becomes twenty-one (21) years of age, my Trustee shall pay shall pay to her, one-half of any accumulated income and principal of her respective any such payment. As the beneficiary becomes eighteen (18) years of age, my Trustee complete discharge of my Trustee who shall not be bound to see to the application of without requiring bond; and, the receipt by such payee or payees shall be a full and paid to the beneficiary or to any person taking care of the beneficiary, in any case, my Trustee, or at my Trustee's discretion, and without further responsibility, may be without the intervention of a guardian, may be applied directly for those purposes by living. I direct the payments for support, maintenance and education shall be made educational requirements of said beneficiary in the beneficiary's accustomed standard of be necessary in the sole discretion of my Trustee, for the support, maintenance and for each beneficiary, to use and apply as much of the net income and principal as may become entitled shall be retained by my Trustee hereinafter named, in a separate Trust **FIFTH:** Any share to which a beneficiary under eighteen (18) years of age may

**FOURTH:** In the event my said wife does not so survive me by thirty (30) days, then I give, appoint, devise and bequeath all the rest, residue and remainder of my Estate, real personal and mixed, including any property over which I may then have a power of appointment, to my daughter, JESSICA E. NIELSEN, provided she survives me by thirty (30) days. For the purposes of this paragraph, no individual shall be deemed to survive me unless that individual survives me by thirty (30) days. In the event my daughter does not so survive me by thirty (30) days, then her share shall pass to her children, to be equally divided among them.



(H) To continue the operation of any proprietorship, partnership, corporation or other business owned by my Estate, including, the power to carry out and enforce the provisions of any agreement for the disposition of my interest in any such business

(G) To execute and deliver all instruments and to do all acts which my fiduciaries may deem necessary or advisable to carry out the purposes of this my Last Will and Testament.

(F) To have, respecting bonds, shares of stock and other securities, all the rights, powers and privileges of an owner.

(E) Final distribution of my Estate shall be made when my Executor determines the time to be appropriate. Prior thereto, partial distributions may be made whenever my Executor deems it advisable. Distributions may be made in cash or in kind, or partly in each, and for this purpose, the determination of my Executor as to the value of any property distributed in kind shall be conclusive.

(D) To accept in kind, retain and invest it in any form of property without regard to any principle of diversification, risk or productivity and without restriction to investments authorized for Pennsylvania fiduciaries.

(C) To compromise claims without approval of beneficiaries.

(B) To borrow money and to mortgage or pledge any real or personal property and to continue any present mortgage on my real estate.

(A) To sell at public or private sale, to exchange or to lease for any period of time, any real or personal property and to give options for sales leases.



**TWELFTH:** I direct that all death taxes in the nature of estate, inheritance and succession taxes, imposed or payable by reason of my death, with interest and penalties thereon, if any, with respect to all property passing under this Will, shall be paid out of the principal of my general testamentary estate without reimbursement or contribution from any beneficiary or recipient. All such taxes on present or future

**ELEVENTH:** If my wife predeceases me or if she dies after me without having made provision for the custody and care of our minor child, I appoint NANCY KAMINSKY, as Guardian of the Person of my daughter during her minority.

**TENTH:** I appoint my Trustee under this Will as Guardian of any property, including insurance proceeds which passes to a minor, and with respect to which I am authorized to appoint a guardian and have not otherwise done so. I direct that my Trustee shall have the same powers as to this property as the powers set out hereinabove.

**NINTH:** I direct that my fiduciaries shall serve without bond; but if a bond is nevertheless required by any law, statute or rule of court, I direct that no sureties be required thereon.

**EIGHTH:** I appoint KENNETH NIELSEN, as Trustee of all Trusts under this Will.

**SEVENTH:** I appoint my wife, CHRISTINE R. NIELSEN, as Executrix of this Will. In the event that she predeceases me, resigns, renounces, fails to qualify or ceases to act for any reason, I appoint KENNETH NIELSEN, Executor in her place and stead. In the event that he predeceases me, resigns, renounces, fails to qualify or ceases to act for any reason, I appoint JESSICA E. NIELSEN, Executrix in his place and stead.

enterprise, even though my Executor may be financially interested in such business or agreement.



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Interest, shall be paid at such time or times as my personal representative may deem proper.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Last Will and Testament, written on six (6) pages, and my hand to the margin of each preceding page hereof.

Dated: October 8<sup>th</sup> 2003

 (SEAL)  
JEFFREY C. NIELSEN

Signed, sealed, published and declared by the Testator above named, as and for his Last Will and Testament, in the presence of us, who at his request, in his presence and in the presence of each other, have hereunto subscribed our names as WITNESSES:


Willie F. Hanson

Nancy Knapp

Christine A. Hall

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF BUCKS :

I, JEFFREY C. NIELSEN, Testator, whose name is signed to the attached instrument, having been duly qualified according to law, hereby acknowledge that I signed and executed the instrument as my Last Will and Testament; that I signed it willingly and as my free and voluntary act for the purposes therein expressed.

  
JEFFREY C. NIELSEN

Sworn to and subscribed  
before me this 8<sup>th</sup> day  
of October, 2003.



Notary Public  
Notarial Seal  
Karen L. Miller, Notary Public  
Palo Alto, Bucks County  
My Commission Expires Nov. 20, 2004

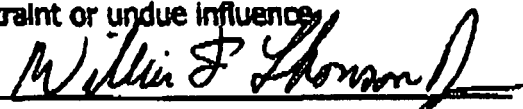
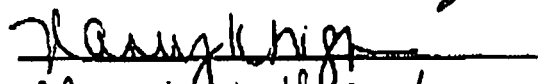
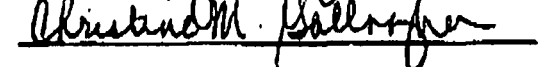
COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF BUCKS :

WE, William F. Thomson Jr., Nancy Kolage and Christine M. Gallagher, the witnesses, whose names are signed to the attached foregoing instrument, being duly qualified according to law, do depose and say that we were present and saw Jeffrey C. Nielsen, Testator sign and execute the instrument as his Last Will; that he signed willingly and that he executed it as his free and voluntary act for the purposes stated therein; that each of us in the hearing and sight of the Testator signed the Will as witnesses; and that to the best of our knowledge, the Testator was at that time eighteen (18) or more years of age, of sound mind and under no constraint or undue influence.

Sworn to and subscribed  
before me this 8<sup>th</sup> day  
of October, 2003.



Notary Public  
Notarial Seal  
Karen L. Miller, Notary Public  
Palo Alto, Bucks County  
My Commission Expires Nov. 20, 2004  
Member, Pennsylvania Association of Notaries

MER-L-001189-21 06/04/2021 4:38:38 PM Pg 1 of 1 Trans ID: LCV20211368750

## Civil Case Information Statement

**Case Details: MERCER, CHRISTINE Docket # L-001189-21**

**Case Caption:** NIELSEN CHRISTINE VS SRI  
INTERNATIONAL

**Case Initiation Date:** 06/04/2021

**Attorney Name:** BREANDAN Q NEMEC

**Firm Name:** BEGLEY CARLIN & MANDIO, LLP

**Address:** 680 MIDDLETOWN BLVD

LANGHORNE PA 19047

**Phone:** 2157500110

**Name of Party:** PLAINTIFF : Nielsen, Christine

**Name of Defendant's Primary Insurance Company**  
(If known): Unknown

**Case Type:** PERSONAL INJURY

**Document Type:** Complaint with Jury Demand

**Jury Demand:** YES - 12 JURORS

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same  
transaction or occurrence)?** NO

**Are sexual abuse claims alleged by: Christine Nielsen?** NO

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**  
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** YES

**If yes, Is that relationship:** Business

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual  
management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO **Title 59?** NO **Consumer Fraud?** NO

**I certify that confidential personal identifiers have been redacted from documents now submitted to the  
court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)**

06/04/2021  
**Dated**

/s/ BREANDAN Q NEMEC  
**Signed**

# **EXHIBIT “B”**

Natalie F. Dallavalle, Esq. (Attorney ID No.: 028412009)

**PSEG**

P.O. Box 570, T-10

80 Park Plaza

Newark, New Jersey 07102

T: 973.430.5709

F: 973.645.1103

*Attorney for Defendant, Public Service Electric  
and Gas Company (PSE&G)*

CHRISTINE NIELSEN, INDIVIDUALLY  
and as EXECUTRIX OF THE ESTATE OF  
JEFFREY NIELSEN, DECEASED,

Plaintiffs,

vs.

SRI INTERNATIONAL; PUBLIC  
SERVICE ELECTRIC AND GAS  
COMPANY,

Defendants.

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MERCER COUNTY  
DOCKET NO.: MER-L-1189-21**

**CIVIL ACTION**

**STIPULATION OF DISMISSAL WITHOUT  
PREJUDICE AS TO DEFENDANT  
PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY**

**IT IS HEREBY STIPULATED AND AGREED** by and between the parties that the  
Plaintiffs' Complaint and any claims asserted by Defendant SRI International, is hereby voluntarily  
dismissed without prejudice and without costs as to **PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY.**

**Begley Carlin & Mandio, LLP**

**Rawle & Henderson, LLP**



Brendan Q. Nemec, Esq.  
*Attorney for Plaintiff*

/s/ Valerie Kellner

Valerie Kellner, Esq.  
*Attorney for SRI International*

**PSEG**



Natalie F. Dallavalle, Esq.  
*Attorney for Public Service Electric and Gas  
Company*

Dated: May 10, 2022



# **EXHIBIT “C”**

**RAWLE & HENDERSON LLP**

BY: Valerie Kellner, Esquire  
Identification No.: 0061301998  
40 Lake Center Executive Park  
Suite 200, 401 Route 73 North  
Marlton, NJ 08053  
Phone: 215-575-4292  
Email: [vkellner@rawle.com](mailto:vkellner@rawle.com)

Attorney for Defendant  
Defendant SRI International

---

CHRISTINE NIELSEN, INDIVIDUALLY :	SUPERIOR COURT OF NEW
and as EXECUTRIX OF THE ESTATE OF :	JERSEY – MERECER COUNTY
JEFFREY NIELSEN, DECEASED, :	
Plaintiffs, :	LAW DIIVISION
v. :	
:	CIVIL ACTION
SRI INTERNATIONAL, PUBLIC :	
SERVICE ELECTRIC AND GAS :	DOCKET NO.: MER-L-001189-21
COMPANY, JOHN DOES A-M, :	
JOHN DOES N-Z, JANE DOES A-M :	<b>ANSWER TO PLAINTIFF’S</b>
JANE DOES N-Z, :	<b>COMPLAINT WITH</b>
Defendants. :	<b>DEFENSES, CROSSCLAIMS,</b>
:	<b>REPLY TO CROSSCLAIMS,</b>
:	<b>JURY DEMAND,</b>
:	<b>DESIGNATION OF COUNSEL,</b>
:	<b>DISCOVERY REQUESTS AND</b>
:	<b>REQUEST FOR STATEMENT</b>
:	<b>OF DAMAGES</b>

Defendant, SRI International (“answering defendant”), hereby answers the  
Complaint of Plaintiff, and in support thereof, avers as follows:

1. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.
2. Admitted in part. Denied in part. Answering defendant registered agent is CT Corporation System and zip code is 08628. The remaining allegation are admitted.

3. Denied as stated. The mailing address is in Princeton but the physical campus for answering defendant is in West Windsor Township. In addition, it has 621,251 sq ft of buildings.

4. The allegations of this paragraph pertain to entities other than answering defendant, and therefore, no response from answering defendant is required.

5. The allegations of this paragraph pertain to entities other than answering defendant, and therefore, no response from answering defendant is required.

6. The allegations of this paragraph pertain to entities other than answering defendant, and therefore, no response from answering defendant is required.

7. The allegations of this paragraph pertain to entities other than answering defendant, and therefore, no response from answering defendant is required.

8. The allegations of this paragraph pertain to entities other than answering defendant, and therefore, no response from answering defendant is required.

9. The allegations of this paragraph pertain to entities other than answering defendant, and therefore, no response from answering defendant is required.

10. Admitted.

11. Admitted in part. Denied in part. It is admitted answering defendant owns the property located at 201 Washington Road in West Windsor Township, NJ. The Complaint does not sufficiently identify “physical plant.” The remaining allegations constitute conclusions of law, therefore, no responsive pleading is required.

12. Admitted in part. Denied in part. It is admitted answering defendant owns the substation located in West Windsor Township where the subject incident occurred.

The remaining allegations constitute conclusions of law, therefore, no responsive pleading is required.

**Background Facts**

13. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

14. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial. By way of further response, Jeff Nielson became an employee of SRI International on January 1, 2011 when SRI International acquired Sarnoff Corporation.

15. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial. Based on reasonable belief and information, Jeff Nielson had been previously employed as an electrical foreman prior to his employment with SRI in January 1, 2011.

16. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial. By way of further response, Jeff Nielson became an employee of SRI

International on January 1, 2011 when SRI International acquired Sarnoff Corporation and was hired as an electrical supervisor.

17. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial. By way of further response, Jeff Nielson became an employee of SRI International on January 1, 2011 when SRI International acquired Sarnoff Corporation and was hired as an electrical supervisor.

18. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

19. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

20. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

21. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

22. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

23. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

**Incident**

24. It is admitted Jeffrey Nielsen was an employee of answering defendant on the day of the incident.

25. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

26. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

27. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

28. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

29. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

30. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

31. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments

contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

32. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

33. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

34. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

35. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

36. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

37. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

38. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

39. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

40. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

41. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

42. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments



contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

43. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

44. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

45. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

46. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

47. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

48. Denied. After reasonable investigation answering defendant is without sufficient knowledge or information to form a belief as to the truth of the averments contained in this paragraph and, therefore they are denied and strict proof thereof is demanded at trial.

49. Exhibit "D" was not attached to Complaint.

50. Exhibit "D" was not attached to Complaint.

### **Investigation**

51. It is generally admitted that OSHA conducted an investigation.

52. The OSHA investigation speaks for itself.

53. The OSHA investigation speaks for itself.

54. The OSHA investigation speaks for itself.

55. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

56. The OSHA citation speaks for itself.

57. The OSHA investigation speaks for itself.

58. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

59. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

60. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

61. The police report speaks for itself.

62. The police report speaks for itself.

**COUNT I – NEGLIGENCE**

**Plaintiff v. All Defendants**

63. Answering defendant hereby incorporate by reference their answers to paragraphs 1 through 62 as though same were fully set forth herein at length.

64. (a) – (g) Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

65. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

66. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

67. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

WHEREFORE, defendant, SRI International demands judgment in its favor and against plaintiff and defendants together with all costs, interests, and fees that this Honorable Court deems just and reasonable.

**COUNT II – WRONGFUL DEATH ACTION**

68. Answering defendant hereby incorporate by reference their answers to paragraphs 1 through 67, as though same were fully set forth herein at length.

69. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

WHEREFORE, defendant, SRI International demands judgment in its favor and against plaintiff and defendants together with all costs, interests, and fees that this Honorable Court deems just and reasonable.

**COUNT III – SURVIVAL ACTION**

70. Answering defendant hereby incorporate by reference their answers to paragraphs 1 through 69, as though same were fully set forth herein at length.

71. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

WHEREFORE, defendant, SRI International demands judgment in its favor and against plaintiff and defendants together with all costs, interests, and fees that this Honorable Court deems just and reasonable.

**COUNT IV – PUNITIVE DAMAGES**

72. Answering defendant hereby incorporate by reference their answers to paragraphs 1 through 71, as though same were fully set forth herein at length.

73. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

74. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

75. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

WHEREFORE, defendant, SRI International demands judgment in its favor and against plaintiff and defendants together with all costs, interests, and fees that this Honorable Court deems just and reasonable.

**COUNT V – PER QUAD**

76. Answering defendant hereby incorporate by reference their answers to paragraphs 1 through 75, as though same were fully set forth herein at length.

77. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

78. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

WHEREFORE, defendant, SRI International demands judgment in its favor and against plaintiff and defendants together with all costs, interests, and fees that this Honorable Court deems just and reasonable.

**COUNT VI – INFLICTION OF EMOTIONAL DISTRESS**

79. Answering defendant hereby incorporate by reference their answers to paragraphs 1 through 78 as though same were fully set forth herein at length.

80. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

81. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

82. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

83. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

84. Denied. The allegations contained in this paragraph constitute conclusions of law, therefore no responsive pleading is required.

WHEREFORE, defendant, SRI International demands judgment in its favor and against plaintiff and defendants together with all costs, interests, and fees that this Honorable Court deems just and reasonable.

### **AFFIRMATIVE DEFENSES**

#### **FIRST AFFIRMATIVE DEFENSE**

Plaintiff's Complaint fails to state a claim upon which relief may be granted as to the Plaintiffs.

#### **SECOND AFFIRMATIVE DEFENSE**

Answering defendant do not owe any duty to plaintiff, nor did they breach any duty which may have been owed to the Plaintiff.

#### **THIRD AFFIRMATIVE DEFENSE**

Plaintiff's damages, if any, were caused by the acts and/or admissions of parties or entities other than answering defendant and over whom answering defendant had no control.

#### **FOURTH AFFIRMATIVE DEFENSE**

The claimed damages of plaintiff's claims of negligence must be reduced or precluded by the doctrine of comparative negligence in accordance with the New Jersey Comparative Negligence Act, N.J.S.A. 2A: 15-51 et seq.

#### **FIFTH AFFIRMATIVE DEFENSE**

Plaintiff's Complaint is barred in whole by the New Jersey Worker's Compensation Act.

**SIXTH AFFIRMATIVE DEFENSE**

Plaintiff's Complaint is barred in whole or in part by plaintiffs' failure to mitigate their damages.

**SEVENTH AFFIRMATIVE DEFENSE**

Plaintiff's Complaint is barred by the applicable Statute of Limitations.

**EIGHTH AFFIRMATIVE DEFENSE**

Plaintiff's injuries and/or damages, if any, were caused in whole or in part by the intervening and superseding acts of third-parties over which answering defendant had no control.

**NINTH AFFIRMATIVE DEFENSE**

The damages complained of by plaintiff, if any, were not proximately caused by answering defendant.

**TENTH AFFIRMATIVE DEFENSE**

Answering defendant, at all relevant times, acted with due care and complied with all requirements of applicable law.

**ELEVENTH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred by the doctrine of laches, waiver and estoppel.

**TWELVETH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred and/or limited by the statutes and laws of the State of New Jersey.

**THIRTEENTH AFFIRMATIVE DEFENSE**

The claims in the Complaint and each Count therein that seek an award of punitive damages fail to state a claim against answering defendant upon which relief can be granted.

**FOURTEENTH AFFIRMATIVE DEFENSE**

The claims in the Complaint and each Count therein that seek punitive damages violates answering defendant right to equal protection under the law and are otherwise unconstitutional under the Fourteenth Amendment of the United States Constitution.

**FIFTEENTH AFFIRMATIVE DEFENSE**

Answering defendant adopts and incorporates by reference, as if same were set forth at length herein, all other affirmative defense which have been or will be asserted by any other party in this action, except those which may contain allegations of liability against answering defendant to the extent that such defenses are applicable to answering defendant.

WHEREFORE, answering defendant demands judgment in their favor and against plaintiff, together with costs of suit, attorney's fees and other relief as may be deemed just and appropriate.

**CROSSCLAIM FOR CONTRIBUTION AND/OR INDEMNIFICATION**

Answering defendant, while expressly denying liability, hereby assert crossclaims for contribution and/or indemnification, contractual or otherwise against co-defendants Public Service Electric and Gas Company, John Does A-M, John Does N-Z, Janes Does A-N and Jane Does M-Z, severally, or in the alternative, for any recovery received by plaintiff.



**ANSWER TO ALL CROSSCLAIMS**

Answering defendant denies any and all Crossclaims asserted by them.

**DEMAND FOR JURY TRIAL**

Answering defendant hereby demands a trial by jury of twelve (12) as to all issues.

**DESIGNATION OF TRIAL COUNSEL**

PLEASE TAKE NOTICE that Valerie Kellner, Esquire, is hereby designated as trial counsel in the above-captioned litigation pursuant to the provisions of Rule 4;25-4.

**DEMAND FOR INTERROGATORIES**

PLEASE TAKE NOTICE that pursuant to Rule 4:17, answering defendant demands that Plaintiff answer Form A and Form A (2) Interrogatories within the timeframe provided by the Court rules, if they have not already fully answered same and answering defendant demand that co-defendants answer Form C and C4 Interrogatories.

**REQUEST FOR STATEMENT DAMAGES**

PLEASE TAKE NOTICE that pursuant to Rule 4:5-2, answering defendant demands within fifteen (15) days after service hereof, a written statement of the amount of damages claimed in Plaintiff's Complaint.

**CERTIFICATION OF COUNSEL**

The undersigned hereby certifies that the within Answer to the Complaint is filed and served within the time allowed by Rule 4:6, as extended by stipulation. The undersigned further certifies that, pursuant to Rule 4:5 1, to our knowledge, the matter in

controversy is not the subject of any other action in any court or of a pending arbitration proceeding.

RAWLE & HENDERSON, LLP

*Valerie Kellner*

By: \_\_\_\_\_  
Valerie Kellner, Esquire  
P.O. Box 710  
401 Route 73 North, Suite 200  
40 Lake Center Executive Park  
Marlton, NJ 08053  
Attorneys for Defendant  
SRI International

DATED: 8/10/21

**RAWLE & HENDERSON LLP**

BY: Valerie Kellner, Esquire  
Identification No.: 0061301998  
40 Lake Center Executive Park  
Suite 200, 401 Route 73 North  
Marlton, NJ 08053  
Phone: 215-575-4292  
Email: [vkellner@rawle.com](mailto:vkellner@rawle.com)

Attorney for Defendant  
Defendant SRI International

---

CHRISTINE NIELSEN, INDIVIDUALLY :	SUPERIOR COURT OF NEW
and as EXECUTRIX OF THE ESTATE OF :	JERSEY – MERECER COUNTY
JEFFREY NIELSEN, DECEASED, :	
Plaintiff, :	LAW DIIVISION
v. :	
:	CIVIL ACTION
SRI INTERNATIONAL, PUBLIC :	
SERVICE ELECTRIC AND GAS :	DOCKET NO.: MER-L-001189-21
COMPANY, JOHN DOES A-M, :	
JOHN DOES N-Z, JANE DOES A-M :	<b>PROOF OF SERVICE</b>
JANE DOES N-Z, :	
Defendants. :	

I, Valerie Kellner, Esquire, hereby certify that a true and correct copy of the foregoing Answer to Plaintiff's Complaint with Separate Defenses, Crossclaims, Reply to Crossclaims, Jury Demand, Designation of Counsel, Discovery Requests and Request for Statement of Damages was served upon the following via First Class Mail:

Breandan Q. Nemec, Esquire  
Begley, Carlin & Mandio, LLP  
680 Middletown Blvd.  
Langhorne, PA 19047  
Attorney for Plaintiff

**Unrepresented**

Public Service Electric and Gas Company  
80 Park Plaza  
Newark, New Jersey 07102

RAWLE & HENDERSON LLP

*Valerie Kellner*

By: \_\_\_\_\_  
Valerie Kellner, Esquire  
Attorney for Defendant  
SRI International

Dated: 8/10/21

## Civil Case Information Statement

### Case Details: MERCER | Civil Part Docket# L-001189-21

**Case Caption:** NIELSEN CHRISTINE VS SRI  
INTERNATIONAL

**Case Initiation Date:** 06/04/2021

**Attorney Name:** VALERIE KELLNER

**Firm Name:** RAWLE & HENDERSON, LLP

**Address:** 401 ROUTE 73 NORTH STE 200

MARLTON NJ 080533427

**Phone:** 8565964800

**Name of Party:** DEFENDANT : SRI INTERNATIONAL

**Name of Defendant's Primary Insurance Company**  
(if known): ZURICH INSURANCE CO

**Case Type:** PERSONAL INJURY

**Document Type:** Answer

**Jury Demand:** YES - 12 JURORS

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same  
transaction or occurrence)?** NO

**Are sexual abuse claims alleged by:** CHRISTINE NIELSEN? NO

### THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual  
management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category:** Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

08/10/2021

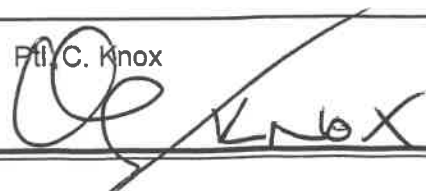

Dated

/s/ VALERIE KELLNER

Signed

# **EXHIBIT “D”**

**"SPECIAL Investigation"**

<b>MUNICIPAL CODE NUMBER 01113</b>		WEST WINDSOR TOWNSHIP POLICE - MERCER COUNTY, N.J.					INVESTIGATION REPORT		
1 STATION WEST WINDSOR TWP.		2 CODE Zone - 1		3 UCR CODE		4 INCIDENT NUMBER 2019-16445		5 CASE NUMBER <b>19-16445</b>	
6 CRIME Fatal Industrial Accident (Special Investigation)		7 NJS		8 VICTIM Jeffrey C Nielsen		9 RACE 10 SEX W / M / 58		11 AGE DOB: 01/16/1961	
DATE AND TIME	12 BETWEEN AT	13 HOUR 1301	14 D WK 2	15 MTH 06	16 DAY 25	17 YEAR 2019	18 HOME ADDRESS, CITY, STATE 61 Kraft Lane Levittown, PA 19055		PHONE
19 LOCATION 201 Washington Road, SRI, East Wing (outside electrical box)		20 EMPLOYER SCHOOL SRI		BUSINESS PHONE (609) 734-2120					
21 <u>Municipal</u> WEST WINDSOR TWP.		22 <u>County</u> MERCER		1113		24 PERSON REPORTING CRIME Frank Bodnar W / M / 50 DOB 6/18/69 (732) 967-1796		25 DATE AND TIME	
26 TYPE OF PREMISE Other Commercial 70		27 CODE		28 WEAPONS TOOLS -		29 CODE		30 ADDRESS 53 Victory Place, East Brunswick, NJ 08816	
31 HOW ATTACKED The victim was electrocuted while working inside the bus bar enclosure.									
32 VEHICLE      33 YEAR      34 MAKE      35 BODY TYPE      36 COLOR      37 REG NUMBER & STATE      39 SERIAL NUMBER OR IDENTIFICATION									
VALUE STOLEN PROP	39 CURRENCY	40 JEWELRY	41 FURS	42 CLOTHING	43 AUTO	44 MISC			
45 TOTAL VALUE STOLEN	46 TOTAL VALUE RECOVER	47 TELETYPE ALARM	48 WEATHER Clear	49 STATUS CRIME X-Clear	50 STATUS CASE Closed				
51 NUMBER OF ACCUSED      52 ADULT <input type="checkbox"/> 53 JUVENILE <input type="checkbox"/> 54 RACE      55 SEX      56 DATE OF BIRTH									
<p>Others Involved: Sgt Lai # 470 Ptl Sabatino # 583 Ptl Hojnacki # 590 Det Barber # 593 Det Woodrow # 5101</p> <p>West Windsor Emergency Services</p> <p>US Department of Labor, OSHA, Stella Bradley (Federal Compliance Officer) (856) 596-5233</p> <p>PSE&amp;G William Allen Jr. - Ops. Supervisor (609) 799-6887</p> <p>SRI International, Sarnoff: Michael Davis, Facility Director (609) 454-7819 Saj Ishaq, Group Director (609) 734-2120 James F Devine, Facilities Engineer (609) 734-2041 David Gresko, SRI employee (609) 273-2218 Eric Mantle, SRI employee (215) 704-6233</p>									
Ptl. C. Knox				577		59 PAGE 1 OF 2 PAGES		60 DATE OF REPORT 06/25/2019	
Signature 				61 SHIFT COMMANDER  470		Division Patrol			